

UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY

JEFFREY M. BELLO

(In the space above enter the full name(s) of the plaintiff(s).)

- against -

CAPITAL ONE BANK (USA) N.A.  
CAPITAL ONE FINANCIAL CORP.

**COMPLAINT**

Jury Trial: ☒ Yes ☐ No

(check one)

CLERK  
U.S. DISTRICT COURT  
DISTRICT OF NEW JERSEY  
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(In the space above enter the full name(s) of the defendant(s). If you cannot fit the names of all of the defendants in the space provided, please write "see attached" in the space above and attach an additional sheet of paper with the full list of names. The names listed in the above caption must be identical to those contained in Part I. Addresses should not be included here.)

**I. Parties in this complaint:**

- A. List your name, address and telephone number. Do the same for any additional plaintiffs named. Attach additional sheets of paper as necessary.

Plaintiff

Name

Street Address

County, City

State & Zip Code

Telephone Number

JEFFREY M. BELLO

143 E. WARREN STREET

BURLINGTON, EDGEWATER PARK

NJ 08010

609-668-9300

- B. List all defendants. You should state the full name of the defendants, even if that defendant is a government agency, an organization, a corporation, or an individual. Include the address where each defendant can be served. Make sure that the defendant(s) listed below are identical to those contained in the above caption. Attach additional sheets of paper as necessary.

Defendant No. 1 Name CAPITAL ONE BANK (USA) N.A.  
 Street Address 1680 CAPITAL ONE DRIVE  
 County, City FAIRFAX, McLEAN  
 State & Zip Code VA 22102

Defendant No. 2 Name CAPITAL ONE FINANCIAL CORP.  
 Street Address 1680 CAPITAL ONE DRIVE  
 County, City FAIRFAX, McLEAN  
 State & Zip Code VA 22102

Defendant No. 3 Name \_\_\_\_\_  
 Street Address \_\_\_\_\_  
 County, City \_\_\_\_\_  
 State & Zip Code \_\_\_\_\_

Defendant No. 4 Name \_\_\_\_\_  
 Street Address \_\_\_\_\_  
 County, City \_\_\_\_\_  
 State & Zip Code \_\_\_\_\_

## II. Basis for Jurisdiction:

Federal courts are courts of limited jurisdiction. There are four types of cases that can be heard in federal court: 1) Federal Question - Under 28 U.S.C. § 1331, a case involving the United States Constitution or federal laws or treaties is a federal question case; 2) Diversity of Citizenship - Under 28 U.S.C. § 1332, a case in which a citizen of one state sues a citizen of another state and the amount in damages is more than \$75,000 is a diversity of citizenship case; 3) U.S. Government Plaintiff; and 4) U.S. Government Defendant.

- A. What is the basis for federal court jurisdiction? (check all that apply)

☐ Federal Questions ☒ Diversity of Citizenship  
☐ U.S. Government Plaintiff ☐ U.S. Government Defendant

- B. If the basis for jurisdiction is Federal Question, what federal Constitutional, statutory or treaty right is at issue? \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

C. If the basis for jurisdiction is Diversity of Citizenship, what is the state of citizenship of each party?

Plaintiff(s) state(s) of citizenship JEFFREY M. BELLO, NJ, American

Defendant(s) state(s) of citizenship CAPITAL ONE, VA, American Corp.

### III. Statement of Claim:

State as briefly as possible the facts of your case. Describe how each of the defendants named in the caption of this complaint is involved in this action, along with the dates and locations of all relevant events. You may wish to include further details such as the names of other persons involved in the events giving rise to your claims. Do not cite any cases or statutes. If you intend to allege a number of related claims, number and set forth each claim in a separate paragraph. Attach additional sheets of paper as necessary.

A. Where did the events giving rise to your claim(s) occur? N.J. REGARDING FALSE CREDIT REPORTING &

B. What date and approximate time did the events giving rise to your claim(s) occur? Feb. 2018 REGARDING the FALSE CREDIT REPORTING; DEC. 2017 - May 2019 REGARDING the illegal interest rate charges + Fees.

C. Facts: ON OR ABOUT August 2006, the Plaintiff

What happened to you?

opened a joint (personal + Business) account with Capital One. The balance was paid in full by early 2013. The card was not used much for years thereafter.

Who did what?

IN OR ABOUT January 2016, the Plaintiff contacted Capital One to inform them that the "Joint" CARD NO LONGER HAD A business attached to it (Prior to using the CARD AGAIN).

Was anyone else involved?

CAPITAL ONE ADVISED that the CARD was then converted to a "PERSONAL" CARD AND the Plaintiff could begin using it as such. IN November 2017, As a result of a late receipt and also incorrect Disability check amount, the Plaintiff was late paying multiple credit card bills. All of his credit card companies permitted Plaintiff to pay their bills 3 to 5 days late without penalty. Capital One more than doubled their billing interest rate some 72 hrs. after payment was past due. The interest rate was in excess of 30%. Attempts to pay the November 2017 were futile. IN Jan. 2018 the Plaintiff spoke with a Capital One supervisor, that stated if the CARD were up to date they could probably fix the rate issue. Nov, Dec. & Jan payments were made, but the rate didn't drop. Plaintiff was advised to keep making his timely \$180/mos. Payments (which he did) until it could be resolved. The rate was lowered by fall 2018, but not fixed until well into 2019.

Who else saw what happened?

**IV. Injuries:**

If you sustained injuries related to the events alleged above, describe them and state what medical treatment, if any, you required and received.

CAPITAL ONE "Falsely" Reported to the three major credit bureaus that the Plaintiff was late from February 2018 through February 2019. This resulted in numerous credit cards being closed, credit lines being reduced, and interest rate and costs rising. Credit score suffered tremendously. Capital One "Falsely" billed and called Plaintiff for debts that were not owed. Plaintiff was not offered a "disability" plan that Capital One had available. Capital One's actions were "disputed" with all credit bureaus, yet they refused to correct (negligent)

**V. Relief:**

State what you want the Court to do for you and the amount of monetary compensation, if any, you are seeking, and the basis for such compensation.

Plaintiff is seeking the elimination of all Capital One balances; credit repair for the adverse reporting on the credit bureaus; balances paid on all creditline adversely impacted by Capital One's negligent actions. All penalties including punitive and compensatory by law. Plaintiff is seeking \$325,000 in damages, plus any and all punitive damages available by law.

I declare under penalty of perjury that the foregoing is true and correct.

Signed this 31<sup>st</sup> day of JANUARY, 20 20.

Signature of Plaintiff *J. M. Bell*  
Mailing Address 143 E. WARREN STREET  
EDgewater PARK, NJ  
08010  
Telephone Number 609-668-9300  
Fax Number (if you have one) 609-747-8204  
E-mail Address bell1998@aol.com

Note: All plaintiffs named in the caption of the complaint must date and sign the complaint.

Signature of Plaintiff: *J. M. Bell*